

18 Rec'd

09/424940

PATENT  
Docket No. 212562-1

09/424940

## COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- |                                     |                       |                          |                      |
|-------------------------------------|-----------------------|--------------------------|----------------------|
| <input type="checkbox"/>            | original              | <input type="checkbox"/> | divisional           |
| <input type="checkbox"/>            | design                | <input type="checkbox"/> | continuation         |
| <input type="checkbox"/>            | supplemental          | <input type="checkbox"/> | continuation-in-part |
| <input checked="" type="checkbox"/> | national stage of PCT |                          |                      |

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled IMMUNOASSAY FOR THE DETECTION OF CANCER, the specification of which:

- (a) ☐ is attached hereto
- (b) ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (c) ☒ was described and claimed in PCT International Application No. PCT/US98/11162, filed on 2 June 98 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

- (d) ☐ no such applications have been filed
- (e) ☐ such application have been filed as follows:

## Prior Foreign Application(s)

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claims Under 37 USC 119
PCT	PCT/US98/11162	02.06.98	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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P. 7

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BECKMAN ADV MOL BIOL

TEL: 714 773 8512

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Dec 02 99 04:22p

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P. 3

DEC-02-1999 12:23

OFFENSES W/OUT

PATENT  
Docket No. 212662-1

Application Serial No.	Filing Date	Status-patented, pending, abandoned
60/048,405	3 June 1997	abandoned
60/060,088	26 September 1997	abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of Sole or First Inventor: Michael C. Cress	
Inventors Signature: <i>Michael C. Cress</i>	Date Signed: 12/2/99
Residence (City, State and/or Country): Santa Ana, California 92701 US	
Citizenship: US	
Post Office Address (Street, City, State, Zip Code, Country): 1029 Cabrillo Park Drive, Santa Ana, California 92701 US	

Full Name of Sole or First Inventor: Ronald J. MOORE	
Inventors Signature:	Date Signed:
Residence (City, State and/or Country): Hermosa Beach, California 90254 US	
Citizenship: US	
Post Office Address (Street, City, State, Zip Code, Country): 1302 Ocean Drive, Hermosa Beach, California 90254 US	

Full Name of Sole or First Inventor: Thai T. NGO	
Inventors Signature:	Date Signed:
Residence (City, State and/or Country): Irvine, California 92604 US	
Citizenship: US	
Post Office Address (Street, City, State, Zip Code, Country): 20 Sandstone, Irvine, California 92604 US	

DO NOT WRITE IN THESE SPACES

PATENT  
Docket No. 212662-1

Application Serial No.	Filing Date	Status-patented, pending, abandoned
60/048,405	3 June 1997	abandoned
60/060,088	26 September 1997	abandoned

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of Sole or First Inventor: Michael C. CRESS	
Inventors Signature:	Date Signed:
Residence (City, State and/or Country): Santa Ana, California 92701 US	
Citizenship: US	
Post Office Address(Street, City, State, Zip Code, Country): 1025 Cabrillo Park Drive, Santa Ana, California 92701 US	

Full Name of Sole or First Inventor: Ronald J. MOORE	
Inventors Signature: <i>Ronald Moore</i>	Date Signed: 29 Feb 2000
Residence (City, State and/or Country): Hermosa Beach, California 90254 US Tustin, CA 92780 USA	
Citizenship: US	
Post Office Address(Street, City, State, Zip Code, Country): 1302 Ocean Drive, Hermosa Beach, California 90254 US 14160 Red Hill Ave #55, Tustin, CA 92780 USA	

Full Name of Sole or First Inventor: Thai T. NGO	
Inventors Signature:	Date Signed:
Residence (City, State and/or Country): Irvine, California 92604 US	
Citizenship: US	
Post Office Address(Street, City, State, Zip Code, Country): 20 Sandstone, Irvine, California 92604 US	

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PATENT  
Attorney's Docket No.: 212662-1

Applicant or Patentee: Michael C. Cress, Ronald J. Moore, That T. Ngo

Serial or Patent No.: PCT/US98/11162

Filed or Issued: June 2, 1999

For: Immunoassay for the Detection of Cancer

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(F) AND 1.27(B)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below.
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: AMDL, Inc.

Address of Small Business Concern: 14272 Franklin Avenue, Suite 106, Tustin, California 92780-7017

I hereby declare that the above identified small business concern qualifies as a small business concern, as defined in 37 C.F.R. § 121.12 and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 person. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in:

- ☐ the specification filed herewith, with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having right in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c). If that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization
- ☐ persons, concerns or organizations listed below:

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

FULL NAME

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

PATENT

Attorney's Docket No.: 510013-29

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Gary L. Dreher

Title of Person if Other Than Owner President and CEO

Address of Person Signing AMDL, Inc.  
2492 Walnut Ave., Suite 100  
Tustin, CA 92780

Dated: 12/2/99 Gary Dreher

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